



Board of Zoning Appeals

601 Lakeside Avenue, Room 516

Cleveland, Ohio 44114-1071

[Http://planning.city.cleveland.oh.us/bza/cpc.html](http://planning.city.cleveland.oh.us/bza/cpc.html)

216.664.2580

DECEMBER 2, 2019

9:30

Calendar No. 19-267: 19401 Kilson Ave

Ward 17

Martin J. Keane

11 Notices

Majdi Azzam, owner, proposes to construct a new 9' x 10' front porch/deck in an A1 One-Family Residential District. The owner appeals for relief from the strict application of section 357.13(b)(4) which states front yard, open porticos or porches (deck) shall not project more than six (6) feet. Proposed deck projects 9'-0" into the front yard setback. (Filed October 30, 2019)

9:30

Calendar No. 19-271: 5601 Tillman Ave.

Ward 15

Matt Zone

18 Notices

Tillman Partners LLC, owner, proposes to change the use from machine shop to commercial food preparation in C2 Local Retail District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 343.01 which states that commercial food preparation is not permitted in Local Retail District; first permitted in Gen. Retail District 343.11(b)(2)(N)
2. Section 349.01(a) which states that substitution of nonconforming use requires BZA approval.
3. Section 352.10 which states that a 6' wide landscaping strip is required along Tillman Ave. between parking lot and street where parking abuts street.
4. Section 349.17 states that a loading dock shall not be less than 50' back from the building line along the street on which they face. (Filed October 22, 2019)

9:30

Calendar No. 19-272: 13011 Triskett Rd

Ward 16

Brian Kazy

24 Notices

Paul Zimmer/PCS Autobody, owner, proposes to erect 9,000 square foot steel building for vehicle storage in a B1 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 343.01 which states that storage of vehicles is not a permitted use in a Local Retail Business District, first permitted in a Semi-Industry District.
2. Sections 352.07 through 352.12 which state that a ten foot wide landscaped transition strip providing 75% year round opacity is required at the rear of the property abutting a residential district. A four foot wide landscaped transition strip is required at side yard of property

abutting Local retail District. Landscaped plan required. No landscaping indicated on plan.(Filed October 23, 2019)

9:30

Calendar No. 19-273: 1825 W. 57th Street

**Ward 15
Matt Zone
12 Notices**

Stephen and Carolyn Warner, owners, propose to construct a 2,200 square foot addition on a 4,600 square foot lot in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the maximum gross floor area for a dwelling in a 'B' area district shall not exceed half of the lot area. In this case, the maximum gross floor area shall not exceed 2,300 square feet and the total proposed floor area is 3,400 square feet
2. Section 357.08(b)(2) which states that in a Two-Family District the depth of a rear yard shall be not less than fifteen percent (15%) of the depth of the lot but in no case less than twenty (20) feet; provided that such depth shall be not less than the height of the main building. Proposed height of the main building and required rear yard is 41 feet. The proposed rear yard is 34 feet. (Filed October 25, 2019)

9:30

Calendar No. 19-274: 3250 W. 31st Street

**Ward 14
Jasmine Santana
8 Notices**

La Villa LP., owner, is proposing to erect a 14' x 20' one story frame detached garage in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of section 337.23(6)(B)(2)(a) which states that a detached garage shall not be less than 18 feet from the side street line and the appellant is proposing 12 feet.(Filed October 25, 2019)

9:30

Calendar No. 19-275: 3315 Storer Avenue

**Ward 14
Jasmine Santana
11 Notices**

La Villa LP., owner, is proposing to erect a 14' x 20' one story frame detached garage in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of section 337.23(6)(B)(2)(a) which states that a detached garage shall not be less than 18 feet from the side street line and the appellant is proposing 12 feet. (Filed October 25, 2019).

9:30

Calendar No. 19-276: 664 E. 108th Street

**Ward 9
Kevin Conwell
12 Notices**

Patricia Bohanon, owner, proposes to install storm windows to enclose existing 9' x 26' wooden open front porch of single family residence in an A1 One-Family Residential District. The owner appeals for relief from the strict application of section 357.13(b)(4)of the Cleveland Codified Ordinance which states that the enclosed front porch shall not project more than 4 feet and the appellant is proposing 9 feet. (Filed October 28, 2019)

9:30

Calendar No. 19-277: 3869 East 71st. Street

**Ward 12
Anthony Brancatelli
16 Notices**

Mel's Automotive Sales LLC, owner, propose to establish the use as "minor car repair garage" in a C1 Multi-Family Residential District. The owner appeals for relief from the strict application from the following sections of the Cleveland Codified Ordinances:

1. Section 343.11(b)(I) which states that Minor Auto Repair is first permitted in the General Retail Business District; proposed location is in the Multi-Family Residential District.
2. Section 357.07(a) which states that a specific setback of ten (10) feet is required; proposed setback is approximately six (6) feet.
3. Section 357.14(a)(1) which states that parking is not a permitted use in a setback area.
4. Section 352.08 which states that an eight (8) foot wide transition strip is required on East 71st Street, and, a four (4) foot wide transition strip is required on Canton Avenue; no transition strips are proposed.
5. Section 359.01 which states that no substitution or other change in such nonconforming use to other than a conforming use shall be permitted except by special permit from the Board of Zoning Appeals. Such special permit may be issued only if the Board finds after public hearing that such substitution or other charge is no more harmful or objectionable than the previous nonconforming use. (Filed October 29, 2019)

9:30

Calendar No. 19-279: 2021 W. 25th Street

**Ward 3
Kerry McCormack
20 Notices**

Ohio City Legacy LLC, owner, proposes to erect mixed use building containing a parking garage, 290 residential dwelling units, ground floor retail and event space in a K4 Limited Retail Zoning District and an Urban Form Overlay District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 348.04(d)(1)(A) which states that an 8' maximum front yard setback is permitted; 12 feet 3 inches are proposed.
2. Section 348.04(d)(1)(B) which states that a 6 foot maximum is allow and the proposed setback on secondary street frontage is more than 6 feet.
3. 348.04(d)(1)(D) which states that a 3 foot minimum rear yard is required and 2 feet 7 inches are proposed.
4. Section 348.04(d)(2)(A) which states that the build-out is less than 80% and a minimum of 3.5 feet tall masonry street screening is required and none is proposed.
5. Section 348.04(d)(2)(B) which states that 100% min. secondary street frontage build-out required and approximately 40% is proposed.
6. Section 348.04(d)(5)(A) which states that a 3 foot minimum depth and 3.5 foot tall masonry screening is required on Lorain Ave and none is proposed. (Filed October 31, 2019)

POSTPONED FROM NOVEMBER 4, 2019

9:30

Calendar No. 19-237:

13459 Wainfleet Ave.

Ward 16

Brian Kazy

21 Notices

Fayeq Hassounah, owner, and Thamer Mohamad Tajer, tenant, propose to keep 3 goats, 6 sheep and 20 chickens on a 5,120 square foot lot in an A1 One-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 347.02(b)(1)(a) which states that in a residential district, one chicken may be kept for each 800 square feet of lot area. 6 chickens are permitted, 20 are proposed.
2. Section 347.02(c)(1) which states that in Residential Districts, no goats, pigs, sheep or similar farm animals shall be kept on a parcel of land less than twenty-four thousand (24,000) square feet in area. The subject property is 5,120 square feet. (Filed September 19, 2019-No Testimony) *FIRST POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT TO ALLOW TIME TO ACQUIRE AN INTERPRETER.*

POSTPONED FROM NOVEMBER 4, 2019

9:30

Calendar No. 19-238:

1714 Randall Rd.

Ward 3

Kerry McCormack

18 Notices

Christine Jindra Trust, owner, proposes to erect a two story garage and bedroom addition to existing single family residence in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.23(6)(B)(1) which states that an attached garage on a corner lot shall be on the rear half of the lot.
2. Section 357.08(3) which states that the required Rear Yard for an irregular shaped lot is 10 feet and the appellant is proposing 2'-10".
3. Section 358.04(a) which states that the maximum height permitted for fences in the Front Yard Setback is 4 feet and must be 50 percent open; the appellant is proposing 7 lineal feet of 6' high wooden fence and a 3 foot solid wooden fence. (Filed September 20, 2019-No Testimony) *FIRST POSTPONEMENT MADE AT THE REQUEST OF THE LANDMARKS COMMISSION TO ALLOW TIME FOR DESIGN REVIEW.*